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Attorneys for Defendant  
The Institute of Electrical and Electronics Engineers, Inc.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

|                                 |   |                               |
|---------------------------------|---|-------------------------------|
| -----                           | X |                               |
| RAJESH KUMAR,                   | : | Case No. 2:12-cv-06870-KSH-PS |
|                                 | : |                               |
| Plaintiff,                      | : |                               |
|                                 | : |                               |
| — v. —                          | : | <b>NOTICE OF MOTION</b>       |
|                                 | : |                               |
| THE INSTITUTE OF ELECTRICAL AND | : |                               |
| ELECTRONICS ENGINEERS, INC.,    | : | Motion Date: February 4, 2013 |
|                                 | : |                               |
| Defendant.                      | : |                               |
| -----                           | X |                               |

PLEASE TAKE NOTICE that, on February 4, 2013, at 10:00 o'clock in the forenoon, or as soon thereafter as counsel may be heard, counsel for defendant The Institute of Electrical and Electronics Engineers, Inc. shall move before the Honorable Katharine S. Hayden, United States District Judge, United States District Court, District of New Jersey, located at the Martin Luther King Jr. Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101, for an Order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing with prejudice the November 5, 2012 Complaint filed on behalf of plaintiff in the within action.

Counsel for defendant The Institute of Electrical and Electronics Engineers, Inc. relies on the attached Memorandum of Law and the materials attached to the accompanying Declaration of Bruce R. Ewing in support of this Motion.

Oral argument is requested.

Dated: New York, New York  
January 11, 2013

Respectfully submitted,

DORSEY & WHITNEY LLP

By: S/

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